

1 **CLARK HILL PLLC**  
2 PAOLA M. ARMENI  
3 Nevada Bar No. 8357  
4 Email: [parmeni@clarkhill.com](mailto:parmeni@clarkhill.com)  
5 1700 South Pavilion Center Drive, Suite 500  
6 Las Vegas, Nevada 89135  
7 Telephone: (702) 862-8300  
8 Attorney for Defendant, Eduardo Ruben Lopez

9 UNITED STATES DISTRICT COURT  
10 DISTRICT OF NEVADA

11 UNITED STATES OF AMERICA,  
12 Plaintiff,  
13 vs.  
14 EDUARDO RUBEN LOPEZ,  
15 Defendant.

Case No. 2:23-cr-00055-CDS-DJA

16 **DECLARATION OF PAOLA M.**  
17 **ARMENI, ESQ. IN RESPONSE TO**  
18 **ORDER TO SHOW CAUSE**  
19 **AGAINST ATTORNEY MARK**  
20 **KROTOSKI, ESQ., AND TRIAL CO-**  
21 **COUNSEL**

22 I, Paola M. Armeni, Esq., declare under penalty of perjury of the laws of the State of Nevada<sup>1</sup> and United States of America<sup>2</sup> that the following is true and correct.

23 1. I am an attorney with the law firm of Clark Hill, PLLC, prior counsel for the Defendant Eduardo "Edward" Lopez in the above-entitled case.

24 2. I have personal knowledge of the facts set forth herein, except as to those matters set forth based upon information and belief, and as to those matters, I believe them to be true and correct. If called upon to testify about these matters, I could truthfully testify to the facts set forth herein.

25 3. This declaration is made in Response to the Order to Show Cause Against Attorney Mark Krotoski, Esq., and Trial Co-Counsel filed on June 17, 2025. (Dkt. 693).

26 4. I am aware of the Nevada Rules of Professional Conduct and specifically Rule 3.3 and Model Rules as cited in LR 11-7(a).

27 5. I take my ethical responsibilities very seriously and would never intentionally or

28 <sup>1</sup> NRS 53.045.

<sup>2</sup> 28 U.S.C. §1746(2).

1 knowingly make a false statement of fact or law to any tribunal or fail to correct a knowingly false  
2 statement.

3 6. I have tremendous respect for our courts and the judges that serve. As such, I would  
4 never intentionally do anything so that the Court would question my ethical standards. I am  
5 disappointed that I have found myself in a position that the Court seeks clarification in my  
6 participation in the conduct to which she has expressed a concern about.

7 7. Considering what the Court is evaluating, I deem it important to provide some  
8 background about myself. I was licensed by the State Bar of Nevada in 2003 and was admitted in  
9 the United States District Court, District of Nevada that same year. I have been recognized in Best  
10 Lawyers of America since 2017 and currently have an AV preeminent rating with Martindale  
11 Hubbell. I have actively served the Nevada Legal community since 2003. I sat on the Board of  
12 Governors for the State Bar of Nevada for approximately 12 years, ultimately holding the office of  
13 President. I was the Chair of the Young Lawyers Section of the State Bar of Nevada, President of  
14 the UNLV Boyd Alumni Association and President of the Nevada Attorneys for Criminal Justice.  
15 I currently sit on the Justice Douglas Pre-Law Fellowship board and was appointed to the Nevada  
16 Judicial Branch Security Commission. I have been recognized for my pro bono work in our  
17 community. Years ago, I was awarded the Myrna Williams CAP attorney of the year. I am active  
18 in representing inmates through the Federal Pro Bono Project and consistently represent children  
19 in the abuse and neglect system as a CAP attorney through Legal Aid of Southern Nevada. I have  
20 been appointed by the US District Court, District of Nevada as a CJA lawyer for almost 20 years.  
21 This District has also appointed me as Chair on numerous occasions to the Merit Selection Panels  
22 for the Appointment and Reappointments of Magistrate Judges in our District. I have taught several  
23 continuing legal educations on the topic of civility and ethics for a Trial Attorney.

24 8. To provide my best recollection of the events that the Court has cited in its order, I  
25 have reviewed my time entries and emails. While I believe this is the most accurate way to assist  
26 my memory, it is possible that even a review of those items may not provide a 100% accuracy, but  
27 I do in good faith believe that is the best evidence to rely on.

28 9. I was one of three law firms that Mr. Lopez retained in his representation in the

1 underlining matter. My primary role was as local counsel or resident attorney as stated in LR 11-  
2 2 as co-counsel was a not a member of the State Bar of Nevada.

3 10. As several attorneys were working on Mr. Lopez's matter, it was important that not  
4 all attorneys were working on the same tasks. This provided the most efficient and cost-effective  
5 method for Mr. Lopez. To my knowledge, Mr. Krotoski's firm took the lead on most if not all  
6 pleadings filed with the Court.

7 11. All attorneys are subject to rules of Professional Responsibility regardless of where  
8 they are barred. As such, when working with co-counsel, I have an expectation that those rules  
9 will be followed. I must have a level of trust that the attorneys I am working with will conduct  
10 themselves in the same manner I do, that is taking my ethical obligations seriously. As such, I  
11 would have no reason to disbelieve co-counsel unless I had personal knowledge to the contrary.

12 12. As it relates to expert Suzanne Stuckwisch, she was not a witness that I was  
13 responsible for. In other words, counsel had divided up witnesses, and Ms. Stuckwisch was not a  
14 witness to which I was going to examine. Further, I did not have any substantive conversations  
15 with her about travel or scheduling. Therefore, my interaction this witness was nominal.

16 13. It is my understanding Ms. Stuckwisch had spoken with the Government's  
17 designees on the afternoon of April 4, 2025. I also believed she was going back to California that  
18 night. My best memory is I learned that information while the defense team was leaving the  
19 courthouse after the adjournment for the day. In review of my emails, it appears the Government  
20 acknowledged that she met with Ms. Grinberg on April 4<sup>th</sup>.

21 14. If communications were had with Ms. Stuckwisch regarding further meet and  
22 confers and her plans for the weekend, I was not privy to those.

23 15. I never spoke to or participated in any communications with Ms. Stuckwisch on  
24 April 5, 2025. To the extent there was communication on this day, I have no personal knowledge  
25 of any communications that occurred between Mr. Krotoski and Ms. Stuckwisch on this day.

26 16. I have participated in several meet and confers with the Government throughout this  
27 case. I do not remember participating in the meet and confer with the Government on April 5, 2025.  
28 My time slips confirm that.

1           17. I never spoke to or participated in any communications with Ms. Stuckwisch on  
2 April 6, 2025. To the extent any communication took place between Mr. Krotoski and Ms.  
3 Stuckwisch on this day, I have no personal knowledge what was discussed.

4           18. I did not draft the Rule 33 Motion for New Trial. I did review the Motion before it  
5 was filed, but I did not review the accompanying exhibits. In reviewing the motion, I understood  
6 addressing the striking of a key expert witness as I believe this was an important issue for our client.  
7 I perceived the argument as a challenge to the severe sanction and the suggestion that other less  
8 severe sanctions were available. As the striking of Ms. Stuckwisch occurred in this Court, I know  
9 that the Court was privy to all the facts, so I did not believe that this argument was an attempt to  
10 suggest the witness was struck for any reason other than why the Court struck her. I suggested to  
11 co-counsel after my review of the Motion that we address in our Motion the Court's statement  
12 during trial that evidence was withheld as I thought it was important to acknowledge the Court and  
13 explain if we in fact had an explanation.

14           19. As it relates to the Court's concern regarding representations related to Exhibit 151  
15 (151R) I offer the following explanation. I did not draft the Motion for Mistrial (Third Request)  
16 that was filed on April 14, 2025. I did review the Motion but not the accompanying exhibits. Within  
17 that Motion several exhibits were cited (204, 206, 152R, 151, 156). I had no reason to believe the  
18 exhibits as identified were inaccurate.

19           20. Previously, if there was a concern about an exhibit being admitted or not, there was  
20 a discussion, and one of the defense team would review the Court's exhibit list to verify if it was  
21 admitted or not. No such discussion took place related to the above exhibits. As such, I believed  
22 in good faith that if my co-counsel included representations about certain exhibits that it was  
23 accurate. I did not go back and look at every exhibit to attest to the accuracy of the representations  
24 in the Motion. I would have no reason to believe that a misrepresentation regarding trial exhibits  
25 would have been intentionally made. Had I suspected that any of the representations about the  
26 exhibits were inaccurate, I would have advised co-counsel to make the change. I in no way would  
27 have intentionally or knowingly misrepresented to the Court that exhibit was admitted that was not.

28           21. While I do not believe that this was a basis for the Order to Show Cause, it was

1 important enough to the Court to discuss it within the Order and as such I feel compelled to offer  
2 some explanation – that is – in response to the allegation that the Government pointed at Mr.  
3 Krotoski during their rebuttal argument.

4 22. While I cannot recall one way or another if I saw the pointing or the gesture towards  
5 Mr. Krotoski during the rebuttal argument, I do believe that something occurred that allowed Mr.  
6 Krotoski to have a good faith belief this occurred. I personally witnessed the Government stare  
7 continually at Mr. Krotoski throughout their rebuttal argument. Immediately after the rebuttal  
8 argument and the case was submitted to the jury, there was a discussion of this gesture by not only  
9 the defense team but members of the audience that had been present during the rebuttal argument  
10 that had appeared to witness the action. The Court is correct that no record was made of the action  
11 at the time. I understand the Court's concern that the record doesn't support this action. I think the  
12 purpose of the Motion for Mistrial was to bring this action to light in writing and as such the Motion  
13 for Mistrial was filed within days to document the perceived action.

14 23. While I understand the Court is skeptical about certain representations made and as  
15 such is likely looking at other actions in a more careful light, I do not believe the above statements  
16 were made in bad faith.

17 24. Additionally, as I also don't believe that this is the basis for the Order to Show  
18 Cause, I want to address the Court's statement that there was a "lackadaisically retrieval of  
19 witnesses". To the extent this statement is about or partially in reference to David Lampron, I  
20 would like the Court to be clear that his tardiness was not a result of any intentional delay tactics  
21 by defense counsel.

22 25. On April 4<sup>th</sup> at 12:37 pm, while in Trial, I recognized the pace of the trial was  
23 moving quicker than I anticipated. As such, I emailed my paralegal Clarissa Reyes (marking the  
24 email high importance) and asked her to advise Mr. Lampron to head to the courthouse now. I had  
25 spoken to Mr. Lampron the morning of April 4<sup>th</sup> and advised he would likely be testifying after  
26 lunch, but I would contact him to let him know when to head to the courthouse. When Mr. Lampron  
27 was not at the courthouse at the time he was set to testify, I called him at 2:16p.m. wherein he  
28 advised he was downtown. Then I called again at. 2:24pm, 2:27pm, 2:31pm. 2:36pm, 2:40pm to

1 ascertain his status (my memory is most of those calls, he did not pick up) as well as texted him at  
2 2:29pm asking if had found a parking spot. At 2:26pm, I texted Ms. Reyes and asked what time  
3 she spoke to Mr. Lampron because he still was not at the courthouse. She advised that she spoke  
4 to him at 1:28pm (I learned later that Ms. Reyes was at lunch when I originally emailed her) and  
5 then again at 2:14pm and that he should be there any minute because he had just called asking for  
6 the building number. I will take responsibility that our witness should have been present and ready  
7 to testify and the Court should not have been forced to take a break for his appearance. However,  
8 by no means was the delay an intentional action to somehow prolong the trial or gain some  
9 advantage.

10 26. I did my best to address the Court's concerns; however, if the Court believes that I  
11 did not address a specific concern, I would ask the Court to allow me to supplement this declaration.

12 Dated this 3<sup>rd</sup> day of July 2025.

13   
14 PAOLA M. ARMENI

**CERTIFICATE OF SERVICE**

I hereby certify that on July 3, 2025, I electronically transmitted the attached document to the Clerk's Office using the CM/ECF System for filing and transmittal of a Notice of Electronic Filing to the following CM/ECF registrants:

Richard (Tony) Anthony Lopez tony.lopez@usdoj.gov, CaseView.ECF@usdoj.gov,  
jackie.bryant@usdoj.gov


Paradi Javandel paradi.javandel@usdoj.gov, Andrew.Mast@usdoj.gov,  
Diego.ariaserao@usdoj.gov, Edward.Bernard@usdoj.gov, Jan.Joaquin@usdoj.gov,  
Leslie.Wulff@usdoj.gov, Mikal.Condon@usdoj.gov, Ruth.Schoenfeld@usdoj.gov,  
Steven.Taylor@usdoj.gov, hillary.phan@usdoj.gov

Mikal Condon mikal.condon@usdoj.gov

Andrew Jon Mast andrew.mast@usdoj.gov, Diego.Ariaserao@usdoj.gov,  
Edward.Bernard@usdoj.gov, Manish.Kumar@usdoj.gov

Jeffrey Cramer, I Jeffrey.Cramer@usdoj.gov

Conor Michael Bradley conor.bradley@usdoj.gov

  
An Employee of CLARK HILL PLC